

Remarks

The Office Action mailed April 15, 2010 has been received and reviewed. Claims 1, 8, 15, 23, 30, 37, 41, and 46-52 having been amended, claims 5, 11, 19, 27, and 34 having been canceled herein, and no claims having been added herein, the pending claims are claims 1-3, 6-10, 12-17, 20-25, 28-32, 35-43, and 45-80.

Independent claims 1, 8, 15, 23, 30, 37, 41, and 46-52 have been amended to recite that the polymer includes a repeating unit comprising N-isopropylacrylamide, which is supported, for example, by originally filed claims 5, 11, 19, 27, and 34 (now canceled).

Reconsideration and withdrawal of the rejections are respectfully requested.

Rejections under 35 U.S.C. §103(a)

The Examiner rejected under 35 U.S.C. §103(a), claims 1-3, 5, 8-11, 14-17, 19, 22, 30-32, 34, 36-43, 45-48, 50-64, and 69-80 as unpatentable over Mitra et al. (US Patent No. 5,888,491) in view of Majeti et al. (US Patent No. 7,025,950); claims 6-7, 12-13, 20-21, 23-25, 27-29, 49, and 65-68 as unpatentable over Mitra et al. in view of Majeti et al., and further in view of Aasen et al. (US Patent No. 4,871,786); and claims 30-32, 34-35, 37-43, 45, 50-52, and 60-80 under 35 U.S.C. §103(a) as being unpatentable over Rozzi et al. (US Patent No. 5,607,663) in view of Majeti et al. Claims 1, 8, 15, 23, 30, 37, 41, and 46-52 having been amended; and claims 5, 11, 19, 27, and 34 having been canceled, Applicants respectfully traverse these rejections.

Claims 1-3, 6-10, 12-17, 20-25, 28-32, 35-43, and 45-80 (as amended) recite a polymer that includes, among other things, a repeating unit comprising N-isopropylacrylamide. Notably, such polymers are exemplified in working examples 1-10 and 12-24 in the present specification. Furthermore, such polymers have shown utility in dental whitening compositions, and advantages over other dental whitening compositions have been described in the present specification (e.g., page 28, line 29 through page 31 of the present specification).

For at least the reason that none of the cited documents teach or suggest a polymer includes a repeating unit comprising N-isopropylacrylamide, Applicants respectfully submit that the Examiner has failed to establish a *prima facie* case of unpatentability.

Amendment and Response

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For: DENTAL WHITENING COMPOSITIONS AND METHODS

Reconsideration and withdrawal of the rejections under 35 U.S.C. §103(a) are respectfully requested.

Summary

It is respectfully submitted that all the pending claims are in condition for allowance and notification to that effect is respectfully requested. The Examiner is invited to contact Applicants' Representatives at the telephone number listed below if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted

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CERTIFICATE UNDER 37 CFR §1.8:

The undersigned hereby certifies that this paper is being transmitted via the U.S. Patent and Trademark Office electronic filing system in accordance with 37 CFR §1.6(a)(4) to the Patent and Trademark Office addressed to the Commissioner for Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450, on this 16th day of August, 2010.

By: 

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